



# SAN BRUNO CITY COUNCIL

## REGULAR MEETING

### MINUTES

**December 9, 2003**

**THIS IS TO CERTIFY THAT:**

The **San Bruno City Council** met in regular session on December 9, 2003, and the meeting was called to order at 7:30 p.m. Presiding was Vice Mayor O'Connell and present were Councilmembers Ruane, Ibarra, and Pallas with Mayor Franzella absent with notice. Recording by City Clerk Simon

The City Council meeting was delayed to allow the Councilmembers to attend the Public Participation Hearing concerning:

P G & E's Jefferson-Martin 230 kV Transmission Line Project War Memorial Building – San Bruno Recreation Center Meeting Room A/B Crystal Springs Avenue at Oak Avenue  
December 9, 2003, at 7:00 p.m. for information please call CPUC 415-703-2074

**Vice Mayor O'Connell** thanked the **San Bruno Garden Club** for providing the beautiful floral arrangement.

**PLEDGE OF ALLEGIANCE:** Led by George Foscardo, Community Development Director.

**ANNOUNCEMENTS:**

The **6<sup>th</sup> Annual Holiday In the Park** on Wednesday December 10, 2003, at 6:00 p.m. at the Gazebo in San Bruno City Park. Everyone is welcomed to attend this free event and encouraged to bring an unwrapped gift for the San Bruno Fire Department "Toys for Tots Program".

The **13<sup>th</sup> Annual Block Lighting & Santa Arrival** on the 1900 block of Glen Avenue will be held on Sunday December 14, 2003, beginning at 5:00 p.m.

**REVIEW OF AGENDA:** No changes were made.

**APPROVAL OF MINUTES:** Regular Council meeting of November 25, 2003. Approved as submitted.

**CONSENT CALENDAR:** All items listed are considered routine or implement an earlier Council action and may be enacted by one motion; there will be no separate discussion unless requested by Councilmember, citizen or staff.

- a. **Approve: Payroll** of November 21, 2003.
- b. **Approve: Accounts Payable** of November 17, 2003. (Council Packets only, copy is available for review at the City Clerk's office).
- c. **Approve:** Second reading and introduction of San Bruno Ordinance No. 1687, which temporarily suspends a portion of the 8% **Airport Parking Facilities Tax** collected pursuant to San Bruno Municipal Code Section (SBMC) 3.16.180 for the period of January 1, 2003 through December 31, 2004. The proposed ordinance provides that the City will collect only 5.5% of the gross receipts of any business subject to SBMC 3.16.180 during the designated two-year period. The proposed ordinance shall automatically expire on December 31, 2004 and after that any business subject to SBMC 3.16.180 would resume paying 8% of its gross receipts.
- d. **Approve:** Salary step advancement from step one (1) to step three (3) for City Clerk effective December 15, 2003. This is the first step increase granted and the City Clerk has served two years with employment start date of November 20, 2001. Monthly salary would increase from \$5,194 to \$5,726.
- e. **Approve:** Chief of Police Violett recommends City Council declare one police motorcycle as

surplus equipment and authorize the re-sale of the motorcycle to Harley Davidson Buell of Vallejo for \$12,827.27.

- f. Authorize:** a letter of support to State Legislators for Vehicle License Fee Backfill Appropriations Bills to assure continuation of critical local revenue.

Council member Pallas removed item 4.f and Vice Mayor O'Connell removed item 4.c for discussion. **M/S Ruane/Ibarra** to approve remainder of consent items, passed unanimously with Franzella absent. **Councilmember Pallas** pulled item 4.f and requested staff give details as to what effect the loss of the Vehicle License Fee would have on San Bruno. City Manager Jackson indicated this is a very critical issue and asked Director O'Leary to give a report. Director O'Leary reviewed the history indicating the Cities have been receiving this source of funding for 60 years or since 1935. In 1999 the state stopped direct funding from vehicle fees and began back filling these funds to the Cities using other revenues. The current State budget does not allocate funds and this would mean a loss of \$1.6 million dollars this fiscal year. The City of San Bruno has already made plans to reduce the 2003-04 budget by \$3.6 million dollars. We will be \$5.2 million short if the State does not back fill these funds. **M/S Pallas/Ruane** to authorize letter to Governor and State Legislators. Passed unanimously with Franzella absent.

**Vice Mayor O'Connell** pulled item 4.c. because she voted no during the first reading of this Ordinance and wanted to vote no this time also. **M/S Pallas/Ruane** to waive second reading passed unanimously with Franzella absent. **Introduction of Ordinance by Pallas**, Yes Pallas, Ruane, and Ibarra, No Vice Mayor O'Connell. Absent Franzella.

**PUBLIC HEARINGS: (NOTICES were published, posted and mailed)**

Adoption of a San Bruno resolution establishing the job position and description of **Fire Battalion Chief**. Amends the Classification Plan pursuant to the Personnel Rules and Regulations of the City of San Bruno as adopted by Resolution No. 1958-148. Public hearing was opened and no one wished to address the Council. **M/S Ruane/O'Connell** to close hearing passed unanimously with Franzella absent.

**Introduction of the resolution by Councilmember Ruane** and roll call vote. Yes, Ruane, Pallas, Ibarra, Vice Mayor O'Connell and No's none with Mayor Franzella absent.

Minor amendments to San Bruno Ordinance No. 1667 **Establishing a Culture & Arts Commission**.

Amends Section 9.32.040 (TERMS) allowing for staggered terms and Section 9.32.110 (Ex-Officio Members) allowing the City Manager to designate an ex-officio non-voting staff member. Also makes non-substantive change by re-designating to a different chapter. **Councilmember Ibarra** requested to know which staff member would be overseeing this new Commission. City Manager Jackson indicated she has selected Library Services Director Jackson and has set the first meeting of the Commission to be January 15, 2004. The public hearing was opened and no one wished to address the City Council on this issue. **M/S Pallas/Ruane** to close public hearing and passed unanimously with Franzella absent.

**Councilmember Ibarra** introduced the ordinance. Roll call vote with all ayes and Franzella absent.

**Notice of upcoming hearing January 13, 2004.**

The San Bruno City Council will hold a public hearing to consider authorizing the City/County Association of Governments (C/CAG) to apply for re-issuance of the Municipal Stormwater National Pollution System (NPDES) permit on behalf of the City of San Bruno and to accept and adopt the San Mateo Countywide Stormwater Management Plan for 2004-2009.

**UNFINISHED BUSINESS:**

**Recreation Services Director Larry Mazzuca** recommended that the City Council approve and adopt the City's 15-year **Comprehensive Parks and Recreation Facilities Master Plan**. A joint Study Session meeting was held with the Parks and Recreation Commission on October 8, 2003. Director Mazzuca reviewed the history of this important document preparation. The number one priority will be to replace the playground equipment, which was removed from several parks because it did not meet the new safety standards. Some word changes requested by the Council will be printed in the final document.

**Councilmember Ibarra** said without the funds available how will the City be able to complete the items recommended in this Plan? Director Mazzuca stated that there are some funds in the five (5) year capital improvement program budget. Seeking grants will be easier since our plan will be in place and in some cases a plan is required in order to apply for funding. **Vice Mayor O’Connell** thanked Director Mazzuca and his staff for all the hard work that went into completing this document. She also thanked the Parks and Recreation Commission members who attended the many meetings it took to get the public input. She requested that the language be changed for the Council to accept the plan rather than “Adopt” the plan since people may believe that approving and adopting commits the Council to doing all the items mentioned in the document. **Councilmember Ibarra** asked Director Mazzuca whether accepting or adopting the plan would make a difference? Director Mazzuca said some grants may require an adopted plan and if that is the case he will bring this item back with a recommendation. **M/S Pallas/Ruane** to accept the Master Plan and passed unanimously with Franzella absent.

**CALL FOR, PRESENTATION OF BIDS, and AWARD OF CONTRACTS: None**  
**COMMUNICATIONS:**

Letter from **George Foscardo, Community Development Director**, thanking the San Bruno City Council and announcing his retirement at the end of the year. Director Foscardo addressed the Council and stated his last day of work would be December 24, 2003. After seventeen years (17) there are a lot of people to thank especially the City Council. Many things have changed and progress has been made in the building process, Code Enforcement, and Aircraft Noise Abatement. They all have had increased public participation and that’s a good thing. He thanked the Council for the opportunity to serve for so many years. **Councilmember Ibarra** stated that George Foscardo would be missed. He has been instrumental in getting projects completed and he just can’t imagine where we would be with the BART project without George Foscardo’s leadership. He has left a good mark on the City of San Bruno and thank you on behalf of the City Council. **Councilmember Pallas** said Mr. Foscardo is too young to retire but he wishes him well and thanks him for all his hard work. **Councilmember Ruane** said rarely do you come in touch with an individual with a gift of getting people to come together and agree upon one idea and actually make things work. He will miss Director Foscardo very much. **Vice Mayor O’Connell** said she remembers how George help guide her through many difficult projects and acknowledged his contribution to San Bruno and his work on “The Crossings” project and the “Tanforan” remodel. She hopes he will be able to see the finished product.

**STAFF REPORTS:**

**Public Works Director Munns** recommended that the City Council adopt a resolution approving the **Disadvantaged Business Enterprise (DBE) Program** for federally funded roadway projects and the overall annual DBE goal for federal fiscal year 2003-04. **Deputy Director Merrill Buck** gave a brief overview of this program and it is an annual requirement to adopt the goal if we are to have any federally funded projects. **Councilmember Ruane introduced resolution for adoption** and roll call vote was requested. Ayes, Ruane, Pallas, Ibarra, and O’Connell with Franzella absent.

**Vice Mayor O’Connell** acknowledged the San Bruno fire fighters who volunteered to help the people in Southern California during the recent fires. She had received communications from Moore Park and Semi Valley praising the San Bruno fire fighters who left their families to help others in need.

**REPORT OF CITY ATTORNEY - RESOLUTIONS & ORDINANCES: None**

**PUBLIC COMMENT ON ITEMS NOT ON AGENDA**

**Rose Urbach** of Euclid Avenue said the markings on San Bruno Avenue notifying the residents that they are approaching a rail road crossing is a very good idea and we do not need a grade separation. The 300-foot notice to residents should be used on any project affecting the people including activity on Huntington Avenue.

**Barbara Liedtke** of Trenton Drive distributed HIP Housing’s 3<sup>rd</sup> annual 2004 Calendars to the Council. The Calendars express what “home” means to the school children. She also indicated that she volunteers

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for another non-profit organization “Habitat for Humanity” and a San Bruno resident, Susan Langi was chosen for a wheel-chair unit and is proud to have a San Bruno representative. **Vice Mayor O’Connell** requested contact information for the public. Contact on the web is [www.hiphousing.org](http://www.hiphousing.org) or telephone at 650-348-6660. No one else wished to address the Council.

**REPORT OF COMMISSIONS, BOARDS, & COMMITTEES: None**

**Councilmember Jim Ruane** gave an oral update on the Transportation Authority meeting, which was held on December 4, 2003. A unanimous approval was given for \$5,000,000 to complete the first phase of studies concerning the San Bruno grade separation project at San Bruno Avenue and San Mateo Avenue. He again thanked the Caltrain Citizen Advisory Committee and City staff for all their work and participation. He said this would be a very positive project for the City of San Bruno.

**NEW BUSINESS:**

**City Manager Jackson** recommended that the Council schedule a Study Session for Monday December 15, 2003, to review recommendations for reductions to the FY 2003-04 Budget to address a projected deficit of approximately \$1.8 million. The start time will be 5:30 p.m. and the study session will be held in the Sister City conference room at City Hall. **Vice Mayor O’Connell** noted that this is a public meeting and everyone is invited to attend.

**CLOSED SESSION:**

**City Attorney Thompson** requested a closed session regarding pending litigation. City of San Bruno vs. BART, USDC Case No. C-03-04249 VW. City Attorney Thompson was still staffing the Public Participation Hearing on P G & E’s Jefferson-Martin 230 kV Transmission Line Project so this item was deferred until the next regular City Council meeting.

**ADJOURNMENT:** With no further business to transact, meeting was adjourned at 8:48 p.m.

There is no second meeting in December by City Ordinance. This meeting will adjourn to a “Study Session” on Monday December 15, 2003. Start time will be 5:30 p.m. and the meeting will be held in the Sister City conference room at City Hall. Thereafter, meeting will adjourn to the regular City Council meeting Tuesday, January 13, 2004, starting at 7:00 p.m. at the San Bruno Senior Center (1555 Crystal Springs Road).

**Councilmember Ibarra** introduced his mother and stepfather Ed and Beverly Ventura who were attending their first San Bruno City Council meeting.

Meeting was adjourned with a “**Moment of Silence**” in memory of **Bridgette Clement**, a 13-year-old girl from Millbrae who was tragically killed in a skiing accident on November 28, 2003. She was involved in the San Bruno community through her membership and hard work at the San Bruno 4-H Farm in Belle Air and last served as club Treasurer. Bridgette was an active parishioner at St. Dunstan Church in Millbrae. Our thoughts and prayers go out to her family.

**Vice Mayor O’Connell** wished everyone a happy and safe holiday and **Happy New Year.**

**Councilmember Ruane** wished everyone a very **Merry Christmas.**

The foregoing minutes approved  
at a regular meeting of the City  
Council held, January 13, 2004.

Respectfully submitted for approval,

Ed Simon, City Clerk

Irene O’Connell, Vice Mayor